

### UNITED STATES ENVIRONMENTAL PROTECTION AGENCY WASHINGTON, DC 20460

OFFICE OF CHEMICAL SAFETY AND POLLUTION PREVENTION

March 14, 2022

Matthew T. Bucy Pesticide Product Registration Specialist Oregon Department of Agriculture 635 Capitol St. NE Salem, OR 97301-2532

Subject: FIFRA 24(c) Registration –SLN Amendment Acknowledgment Letter

SLN Registration Number: OR-160015

EPA Decision Number: 581260

SLN Expiration Date: December 31, 2026

Parent EPA Reg. No.: 62719-702 Product Name: Cleantraxx<sup>™</sup>

#### Dear Mr. Bucy:

This letter acknowledges receipt of an amendment for the above-listed Special Local Need (SLN) registration pursuant to Section 24(c) of the Federal Insecticide, Fungicide, and Rodenticide Act, as amended. The original SLN registration permits use of Cleantraxx<sup>™</sup> (oxyfluorfen and penoxsulam) in actively managed conifer forests to control herbaceous broadleaf weeds; grasses; and woody plant seedlings. You indicated that this product is best suited for this use due to its lower phytotoxicity, longer residual, and greater efficacy when compared to the alternatives. This amendment was submitted to clarify label language for consistency with other Oregon SLN labels. In addition, you added a conditions and risks of use for special local need section, and a buffer requirements subsection. This amendment will also extend the expiration date to 12/31/2026.

The Agency has completed a review of the amendment of this use and acknowledges the State's special local need registration, as amended. Please inform the registrant that we have placed a copy of the amended SLN label in our files. If you have any questions, please contact Tamica Cain by phone at (202) 566-2550 or via email at cain.tamica@epa.gov.

Sincerely,

Eric W. Bohnenblust, Ph.D., Chief

Minor Use and Emergency Response Branch (MUERB)

**Registration Division** 

cc: Chad Schulze, EPA Region 10 Coordinator

Derrick Terada, EPA Region 10 Tribal Coordinator

PENOXSULAM	GROUP	2	HERBICIDE
OXYFLUORFEN	GROUP	14	HERBICIDE

## FIFRA Section 24(c) Special Local Need (SLN) Label

Dow AgroSciences LLC

9330 Zionsville Road

Indianapolis, IN 46268-1054 USA

### **Cleantraxx**™

EPA Reg. No. 62719-702 EPA SLN No. OR-160015

#### FOR DISTRIBUTION AND USE ONLY WITHIN THE STATE OF OREGON

Expiration Date: This label is valid until December 31, 2026 or until otherwise amended, withdrawn, canceled, or suspended

# For Control of Herbaceous Broadleaf Weeds, Grasses and Woody Plant Seedlings in Actively Managed Conifer Forests

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Contains 0.083 lb penoxsulam and 3.93 lb oxyfluorfen active ingredient per gallon

# Keep Out of Reach of Children CAUTION

#### **Environmental Hazards**

This product is toxic to aquatic invertebrates and wildlife. Do not apply directly to water, or to areas where surface water is present or to intertidal areas below the mean high water mark. Runoff from treated areas may be hazardous to aquatic organisms in neighboring areas. See Directions for Use for additional restrictions. Do not contaminate water when disposing of equipment wash water or rinsate.

#### **GROUNDWATER ADVISORY STATEMENT**

This chemical has properties and characteristics associated with chemicals detected in groundwater. This chemical may leach into groundwater if used in areas where soils are permeable, particularly where the water table is shallow.

#### NON-TARGET ORGANISM ADVISORY STATEMENT

This product is toxic to plants and may adversely impact the forage and habitat of non-target organisms, including pollinators, in areas adjacent to the treated site. Protect the forage and habitat of non-target organisms by following label directions intended to minimize spray drift.

#### **Directions for Use**

- It is a violation of Federal law to use this product in a manner inconsistent with its labeling.
- This SLN label and the federal label for this product must be in the possession of the user at the time of pesticide application.
- Read this SLN label and the label affixed to the container for Cleantraxx before applying. Carefully follow all precautionary statements and applicable use directions.
- In addition to restrictions and limitation imposed by this SLN label, use of Cleantraxx according to this SLN is subject to all use directions, precautions, restrictions, and Worker Protection Standard requirements imposed by the label affixed to the container of Cleantraxx.

#### **Product Information**

Cleantraxx™ herbicide is a selective herbicide for preemergence and postemergence residual weed control of certain broadleaf and grass weeds in forestry applications. Apply Cleantraxx from early fall to late winter or in early spring, prior to germination of targeted weeds, as per directions below. The best weed control is obtained by application to weeds either preemergence or early postemergence when weeds are small and actively growing. Any cultural practices that disturb or redistribute surface soil following treatment with Cleantraxx will reduce weed control effectiveness.

#### **Forestry Use Sites**

Under SLN No. OR-160015, Cleantraxx herbicide may be applied to forestry sites for site preparation prior to planting or for conifer release as broadcast over the top of trees. Not for use in Christmas tree plantations or in ornamental plantings. Applications may be made as aerial or ground broadcast applications, spot or directed spray applications for preemergent and early postemergent control of herbaceous broadleaf weeds, grasses and preemergent control of germinating seeds of sensitive woody plants.

Tank-mix combinations with labeled rates of other herbicides can be made provided: (1) the tank mix product is labeled for the timing and method of application for the use site to be treated and (2) mixing is not prohibited by the label of the registered tank mixed products. Use as directed in the Directions of Use section of all herbicides in the mix.

#### **Application Directions**

- Preemergence control: Cleantraxx controls susceptible weeds germinating from seed. Cleantraxx
  is stable on the soil surface for up to 21 days, but must be incorporated by moisture to provide
  effective preemergence control of susceptible weeds. A single rainfall of 0.5 inches or more,
  within 21 days after application, is necessary to activate Cleantraxx.
- Postemergence control: The addition of an adjuvant at 1 quart per 100 gallons of spray volume (0.25% v/v) of a crop oil concentrate, methylated seed oil or 80% active (minimum) nonionic surfactant is required for effective postemergence control of susceptible emerged weeds. For applications over-the-top of conifers, use only adjuvants/surfactants for which the desired conifers are known to be tolerant.
- When rate ranges are given, use a lower rate in the rate range on coarse textured soils low in

- organic matter, lighter weed infestations, and for reduced lengths of residual control. Use a higher rate in the rate range on medium to fine textured soils, soils containing higher organic matter, heavy weed infestations, or for extended residual preemergence weed control.
- Repeat treatments may be made, but the total amount of Cleantraxx applied must not exceed 4.5 pints per broadcast acre per year.
- For broad spectrum applications use Cleantraxx tank mixed with an appropriate herbicide such as Opensight, Accord XRT II, Rodeo, Garlon 4 Ultra, Garlon XRT, Transline, Vastlan or other herbicides registered for use on these sites and for these application methods. When tank mixing, read and carefully follow all applicable use directions, precautions and limitations on the respective product labels.

#### **Application Precautions**

- For the best weed control, apply Cleantraxx as a preemergence application prior to weed emergence during the winter dormant period.
- Postemergent applications made when weeds are less than 4 inches in height are most effective.
- For best control from broadcast and spot or directed spray applications of Cleantraxx, recommended spray volumes are 10 to 25 gallons per acre by air or 10 to 50 gallons per acre by ground. For ground applications lower spray volumes (5 gallons per acre) may be used, however lower spray volumes may reduce weed control or conifer tolerance so users should gain local experience to see if results are acceptable.
- Any cultural practices, cultivation, or disturbance of the soil surface after application will decrease the weed control provided by Cleantraxx.
- To prevent misapplication, spot treatments and directed spray treatments should be applied using calibrated application methods.
- To prevent misapplication, spot or directed treatments should be applied with a boom, boomless spray systems, hand-held or backpack sprayers.

#### **Site Preparation Applications**

Use Cleantraxx at 3 to 4.5 pints per acre in site preparation applications prior to planting to control herbaceous weeds and sensitive woody brush seedlings. Split applications of 2.25 pints per acre may be made in the fall and following spring for control of sensitive weeds such as woodland groundsel. Tank mixes with other herbicides labeled for use in forestry or conifer plantations can be made to broaden the spectrum of control of various weedy plants. Conifers may be planted into areas treated with Cleantraxx, but disturbance of the treated soil can break the herbicide barrier and decrease weed control. Also, planters should avoid placing treated soil into the rooting zone of the tree seedlings. When tank mixtures of herbicides are used, labels for all products in the mixture must be followed and the longest specified waiting period before planting observed.

#### **Woody Plant Seedling Control**

Apply Cleantraxx at 3 to 4.5 pints per acre for preemergent control of sensitive woody brush seedlings, such as squaw carpet, deerbrush and manzanita.

#### **Conifer Release Applications**

Cleantraxx at 3 to 4.5 pints per acre may be applied broadcast by aerial or ground applications or as a spot or directed spray application over-the-top of conifers such as Douglas-fir, Ponderosa pine, sugar pine, incense cedar, white fir and grand fir for preemergent and early postemergence control of weeds. Split applications of 2.25 pints per acre may be made in the fall and following spring for control of sensitive weeds such as woodland groundsel. In general, applications made before bud break or after terminals harden off have the least potential for injury to crop trees. Applications made during active growth stages may injure desirable trees. Users should determine through field trials whether applications of Cleantraxx give acceptable tree tolerance under local conditions for tree species not listed above.

#### **Use Restrictions**

- Do not apply more than 4.5 pints of Cleantraxx per acre per year.
- Do not apply Cleantraxx when weather conditions favor drift. Avoid drift to all non-target crops and areas.
- Do not treat inside banks or bottoms of irrigation ditches, either dry or containing water, or other channels that carry water that may be used for irrigation or domestic purposes. Do not contaminate water used for irrigation or domestic purposes.
- Do not graze or harvest plants from areas treated with Cleantraxx for feed or forage for domestic livestock.
- Do not apply to frozen soil or snow-covered soil.
- BUFFER REQUIREMENTS:
  - This product must be applied in a manner consistent with Oregon Senate Bill (SB) 1602 of 2020 for helicopter pesticide applications and the Oregon Forest Practices Act for all methods of pesticide applications, including buffer requirements. SB 1602 requires a 300 foot buffer for inhabited dwellings or schools for helicopter pesticide applications. The landowner or school board may request the pesticide application forego all but the inner 60 feet of the SB 1602 300 foot buffer (ORS 527.672). For more information on buffer requirements under SB 1602 and the Oregon Forest Practices Act, visit <a href="https://www.oregon.gov/odf/working/Documents/chemicals-and-other-petroleum-products.pdf">https://www.oregon.gov/odf/working/Documents/chemicals-and-other-petroleum-products.pdf</a>
  - o In addition to the buffer requirements of SB 1602 of 2020 and the Oregon Forest Practices Act, the following label restrictions must be observed:
    - A 25-foot vegetative buffer strip must be maintained between all areas treated with this product and lakes, reservoirs, rivers, permanent streams, marshes or natural ponds, estuaries and commercial fish farm ponds.
    - For aerial applications, maintain a minimum buffer zone of 150 feet from any non-targeted vegetable fallow bed, crop, or desirable vegetation.
- Note: If multiple buffers apply, use the greatest buffer distance.

#### Conditions and Risks of Use for Special Local Need

USE OF CLEANTRAXX HERBICIDE (THE "PRODUCT") ON ACTIVELY MANAGED CONIFER FORESTS (THE "CROP") FOR THIS SPECIAL LOCAL NEED MAY RESULT IN CROP INJURY, CROP YIELD REDUCTION AND/OR CROP LOSS AS FURTHER DISCUSSED BELOW. READ AND UNDERSTAND THESE CONDITIONS AND RISKS OF USE FOR SPECIAL LOCAL NEED BEFORE USING THE PRODUCT ON THE CROP.

This Product is available for use in the manner described in this Special Local Need (SLN) label on the basis that, in the sole opinion of the user, the benefits and utility derived from the use of the Product on the Crop outweigh the potential risk of Crop injury, Crop yield reduction or Crop loss. The decision to use this Product in the manner described in this SLN Labeling must be made by each individual user on the basis of anticipated benefits versus (i) the potential risk of Crop injury, Crop yield reduction and Crop loss, (ii) the severity of the target pest infestation, (iii) the cost and availability of alternative pest controls and (iv) any other relevant factors.

By purchasing the Product for use, or using the Product, in the manner described in this SLN Labeling, you acknowledge and accept that to the extent permitted by law:

- (1) you assume all risk of Crop injury, Crop yield reduction and Crop loss;
- (2) Dow AgroSciences does not make, and does not authorize any agent or representative to make, any representations or recommendations regarding the use of this Product on the Crop other than the statements on this SLN labeling;
- (3) Dow AgroSciences does not make, and does not authorize any agent or representative to

- make, any warranties, express or implied, with respect to the use of the Product on the Crop and disclaim all warranties, expressed or implied, including any implied warranty of merchantability;
- (4) Dow AgroSciences disclaims all liability for any damages, losses, expenses, claims or causes of actions arising out of or relating to Crop injury, Crop yield reduction and/or Crop loss;
- (5) these Conditions and Risks of Use for Special Local Need supersede any contrary representations or recommendations by Dow AgroSciences, or its respective agents or representatives, and any provisions in or on any Product literature or labeling including any provisions on the label affixed to the Product container.

If these Conditions and Risks of Use for Special Local Need are not acceptable, the unopened Product may be returned to the seller for a refund or used for a different labeled use in accordance with the label affixed to the Product container.

These Conditions and Risks of Use for Special Local Need are required by Dow AgroSciences and not specified by the US EPA or the State of Oregon.

#### 24(c) Registrant:

Dow AgroSciences LLC 9330 Zionsville Road Indianapolis, IN 46268

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R419-008 Accepted: \_\_/\_/\_ Replaces: R419-005